



# PROPOSED RULE MAKING

**CR-102 (June 2004)**

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington State Patrol

☒ Preproposal Statement of Inquiry was filed as WSR 05-14-126 ; or☐ Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_ ; or☐ Proposal is exempt under RCW 34.05.310(4).☒ Original Notice☐ Supplemental Notice to WSR \_\_\_\_\_☐ Continuance of WSR \_\_\_\_\_

Title of rule and other identifying information: (Describe Subject) WAC 204-90-120, Suspension

**Hearing location(s):**General Administration Building  
Commercial Vehicle Division Conference Room  
210 - 11<sup>th</sup> Avenue SW  
Olympia WA 98504**Submit written comments to:**Name: Ms. Christine Fox  
Equipment and Standards Review Unit  
PO Box 42614  
Olympia WA 98504-2614  
e-mail [Christine.Fox@wsp.wa.gov](mailto:Christine.Fox@wsp.wa.gov)  
fax (360)586-8233 by (date) September 26, 2005Date: Tuesday September 27, 2005 Time: 9:00 a.m.**Assistance for persons with disabilities:** ContactMs. Christine Fox by September 26, 2005

TTY ( ) \_\_\_\_\_ or (360) 753-3697

Date of intended adoption: September 27, 2005

(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** Office of Government and Media Relations and Equipment and Standards worked with Representative Jim Clements and other members of the House Transportation Committee, during 2005 Legislative Session to draft language relating to the use of aftermarket hydraulic or mechanical system to raise or lower the height of a motor vehicle. An error was found in the proposed language and the bill was vetoed. WSP was asked if the proposed language, once corrected, could be incorporated into an existing WAC. Yes.

**Reasons supporting proposal:**

Statutory authority for adoption: RCW 46.37.005 and 46.37.320

Statute being implemented:

**Is rule necessary because of a:**

Federal Law?

☐ Yes ☒ No

Federal Court Decision?

☐ Yes ☒ No

State Court Decision?

☐ Yes ☒ No

If yes, CITATION:

DATE

8/19/05

NAME (type or print)

John R. Batiste

SIGNATURE

TITLE

Chief

  
Chief**CODE REVISER USE ONLY**CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

AUG 19 2005

TIME

WSR

10:43

05-17-130

AM

PM

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization)

- ☐ Private  
☐ Public  
☐ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Ms. Christine Fox	General Administration Building, PO Box 42614; Olympia WA 98504-2614	(360) 753-3697
Implementation.... Ms. Christine Fox	General Administration Building, PO Box 42614; Olympia WA 98504-2614	(360) 753-3697
Enforcement..... Ms. Christine Fox	General Administration Building, PO Box 42614; Olympia WA 98504-2614	(360) 753-3697

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

- ☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

- ☒ No. Explain why no statement was prepared.

The proposed additions and amendments are optional and if installed how and when an aftermarket hydraulic or mechanical system that raises or lowers the height of a motor vehicle may be activated.

Is a cost-benefit analysis required under RCW 34.05.328?

- ☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

- ☒ No: Please explain:

There will be no cost to the industry.

AMENDATORY SECTION (Amending WSR 98-04-052, filed 1/30/98, effective 3/2/98)

**WAC 204-90-120 Suspension.** The ground clearance for a special motor vehicle shall be such that the vehicle shall be able to be in motion on its four rims on a flat surface with no other parts of the vehicle touching that surface. Maximum ground clearance for a special motor vehicle shall be determined using the table contained in WAC 204-90-040(6) Bumpers.

The spring mounts and shackles shall be properly aligned and vehicle and provide free travel in an up and down movement under all conditions of operation. Rear coil spring suspension systems shall incorporate anti-sway devices to control lateral movement.

A special motor vehicle shall have a suspension system that allows movement between the unsprung axles and wheels and the chassis body and shall be equipped with a damping device at each wheel location. The suspension system shall be capable of providing a minimum relative motion of plus and minus 2 inches. When any corner of the vehicle is depressed and released, the damping device shall stop vertical body motion within two cycles.

There shall be no heating or welding of coil springs, leaf springs, or torsion bars.

No special motor vehicle shall be constructed or loaded so that the weight on the wheels of any axle is less than 30% of the gross weight of the vehicle. ~~((No hydraulic system shall be activated while the vehicle is being operated on public roadways.))~~

Except when lawfully participating in a parade permitted by local jurisdiction, activation of an aftermarket hydraulic or mechanical system that raises or lowers the height of a motor vehicle is prohibited while the motor vehicle is in motion on a public roadway with a posted speed limit greater than twenty-five miles per hour and while the vehicle is traveling in excess of fifteen miles per hour. At no time may any portion of any tire of such motor vehicle leave the surface of the roadway or may any portion of the vehicle or component of the hydraulic system used to raise or lower the vehicle cause or emit sparks. A motor vehicle equipped with an aftermarket hydraulic or mechanical system must meet all suspension requirements as outlined in this section. Nothing in this section shall prohibit a county or city from enacting stricter regulations for aftermarket vehicle hydraulics on a public roadway.

A special motor vehicle shall be capable of stable, controlled operation while traversing a slalom-type path passing alternately to the left and right of at least four cones or markers arranged in a straight line and spaced 60 feet apart at a minimum speed of 25 MPH. Body lifts are permitted provided that they are manufactured

by an after market manufacturer, designed for the make and model vehicle on which they are installed, and installed according to the manufacturer's recommendations. Body lifts may not use more than a three inch spacer and may not raise the body more than four inches above the frame when all components are installed.